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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,262	07/11/2001	Shoji Kito	32780	9434
29669	7590	11/04/2004	EXAMINER	
PEARSON & PEARSON, LLP 10 GEORGIA STREET LOWELL, MA 01852			SHECHTMAN, SEAN P	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/903,262	Applicant(s) KITO ET AL.	
	Examiner Sean P. Shechtman	Art Unit 2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. Claims 1 and 7 are presented for examination. Claims 1 and 7 have been amended. Claims 2-6 and 8-37 have been cancelled.

#### ***Drawings***

2. Objections withdrawn due to the amendment.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 recites the limitation "said information" in line 2. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over J.P. Pat. No. 408228920A to Kikuchi in view of U.S. Pat. No. 6,255,630 to Barnes.

Referring to claim 1, Kikuchi teaches a cooking utensil for cooking a food by using predetermined heating means (See constitution section on first page of the translation), said cooking utensil comprising:

(a) means for setting a maintenance time for each of a plurality of maintenance items by arbitrarily setting a calendar date for executing each of said maintenance items (See constitution section on first page of the translation),

(b) means for tracking calendar dates and determining when said maintenance time for each of said plurality of maintenance items occurs (See paragraph 16 of the translation);

Referring to claim 1, while Kikuchi teaches all the limitations disclosed above and further teaches two cleaning processes to be executed on two different times and dates (See constitution section on first page of the translation), and Kikuchi further teaches a control panel with a display (See paragraph 8 and figure 4 of the translation), Kikuchi fails to teach informing means displays a predetermined sign on an operating panel of said cooking utensil informing a user when each calendar date occurs for executing the maintenance. Furthermore, Kikuchi fails to teach displaying the user informed maintenance item after said predetermined sign is displayed. Referring to claim 7, Kikuchi fails to teach that after informing said user of the execution time, said information is automatically removed by performing the corresponding one of said maintenance items.

The examiner respectfully submits that the claims, as such, do not require an action taken by the user in response to the informing means. The examiner respectfully submits that there is

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no limitation on what the predetermined sign is required to be. Furthermore, the maintenance items are not required to be different, as discussed in the previous office action. Further still, steps a-d are not even required to be used for the cooking utensil.

However, referring to claim 1, Barnes teaches a cooking appliance including cleaning operational modes (Col. 2, line 54 – Col. 3, line 12) and a display for indicating the cleaning operational modes (Col. 5, lines 1-5), wherein Barnes clearly teaches receiving operational information indicative of desired operational modes and times for successive operations, wherein a user is visually conveyed information concerning these operations in a display, wherein the visual display indicates the amount of time until the start of the next operation during the current operation, wherein the display also indicates the operational mode for each of the operations prior to the starting of the next operation (Col. 10, lines 1-19).

Referring to claim 7, Barnes teaches the cooking utensil above, wherein, after informing said user of the time until start, said information is automatically removed by performing the corresponding one of said maintenance items (Col. 8, lines 56-59; Col. 5, lines 1-5, CLEANED).

Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to combine the teachings of Barnes with the teachings of Kikuchi to display the amount of time until the next cleaning operation and the cleaning operation, as taught by Barnes.

One of ordinary skill in the art would have been motivated to combine these references because Barnes teaches a control system for a cooking appliance that is designed to ease the inputting of program information by a user and also convey status information to the user. Furthermore, Barnes teaches the system can allow for successive operations with a display

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indicating the operations selected and the amount of time before the next operation will be initiated (Col. 1, line 54 – Col. 2, line 1).

***Response to Arguments***

5. Applicant's arguments with respect to claims 1 and 7 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. The prior art or art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents or publications are cited to further show the state of the art with respect a cooking range with functions programmed to begin a self-cleaning cycle at noon on Wednesdays.

U.S. Pat. No. 6,374,079 to Hsu (Col. 11, lines 57-65).

The following patents or publications are cited to further show the state of the art with respect a rice cooker with a calendar function for performing temperature control and time control.

J.P. Pub. No. 08-332148 to Tsuji.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean P. Shechtman whose telephone number is (571) 272-3754. The examiner can normally be reached on 9:30am-6:00pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SPS

Sean P. Shechtman

October 31, 2004



**Jayprakash N. Gandhi**  
**Primary Examiner**  
**Technology Center 2800**